

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

KENNETH WAYNE RICE,

Plaintiff,

v.

**SETERUS, INC.; FEDERAL NATIONAL
MORTGAGE ASSOCIATION; JP
MORGAN CHASE BANK; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.,**

Defendants.

**CIVIL ACTION NO.
7:17-cv-00732-RDP**

UNOPPOSED

**MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFF'S AMENDED COMPLAINT**

COME NOW defendants Seterus, Inc. (“Seterus”), Federal National Mortgage Association (“Fannie Mae”), and Mortgage Electronic Registration Systems, Inc. (“MERS”) (collectively, “Defendants”), by and through their undersigned counsel, appearing specially so as to preserve any and all defenses including those available under Rule 12 of the Federal Rules of Civil Procedure, and specifically preserving the right to demand arbitration pursuant to contractual agreements and the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*, and hereby move this Court to extend the time for them to file a response to Plaintiff Kenneth Wayne Rice’s (“Plaintiff”) Amended Complaint. As grounds for the requested extension, Defendants respectfully state as follows:

1. On April 3, 2017, Plaintiff filed his Complaint against Defendants in the Circuit Court of Tuscaloosa County, Alabama. (Doc. # 1-1.). The case was removed to this Court on May 5, 2017. (Doc. # 1.).

2. On July 21, 2017, Plaintiff filed an Amended Complaint under seal, (Doc. # 22.), and on August 3, 2017, the Court entered an Order giving Defendants until August 15, 2017, to file a response to Plaintiff's Amended Complaint. (Doc. # 27.).

3. In order to allow undersigned counsel time to investigate Plaintiff's claims, review all necessary documents, and prepare a response to the Amended Complaint, the undersigned counsel requests a two (2) week extension of time through or until **August 29, 2017**, for Defendants to file a response to the Amended Complaint.

4. Plaintiff's counsel has confirmed that he does not object to such an extension. Further, none of the parties will be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that this Court enter an order giving them until **August 29, 2017** to file a response to Plaintiff's Amended Complaint.

Respectfully submitted this the 11th day of August, 2017.

/s/ Matthew T. Mitchell

Matthew T. Mitchell (MIT050)

Kristen P. Watson (PET065)

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Attorneys for Defendants

SETERUS, INC., FEDERAL NATIONAL MORTGAGE
ASSOCIATION, AND MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Kenneth James Lay
HOOD & LAY, LLC
1117 22nd Street South
Birmingham, Alabama 35205

John David Collins
Mark D. Foley, Jr.
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North
Birmingham, Alabama 35203

I hereby certify that I have mailed by United States Postal Service the foregoing document to the following non-CM/ECF participants: N/A.

/s/ Matthew T. Mitchell
OF COUNSEL